IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24303 of 2008
GAUTAM KUMAR
son of Dhirendra Singh,
resident of Village Ursha,
P.S. Hisua, District Nawada
-------Petitioner
Versus
STATE OF BIHAR
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4. 10.11.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Complaint Case No.711/2006 for the alleged offences registered under section 304B of the Indian Penal Code.

It is submitted on behalf of the petitioner that the daughter of the complainant was not killed whereas she died during the delivery of child. As a matter of fact, during delivery a dead child was born and she died on account of excessive bleeding. Prior to the complaint, a police case was lodged vide Hasua P.S. Case No.8/2004. In the said case upon investigation final form was submitted in which details were collected to the effect that the daughter of the complainant had died in course of delivery and she was not killed. After the final form was submitted, the present complaint was filed alleging that his daughter was killed. It is further submitted that other co-accused as detailed in paragraph 20 of the petition have been allowed anticipatory bail by this Court.

The learned APP on perusal of the case diary submits that the materials were collected during the investigation and it has come from the record of the hospital that the daughter of the

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complainant was admitted for delivery and a dead child was born and she died on account of excessive bleeding.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender in connection with Complaint Case No.711/06 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Nawada, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**